

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CITAK & CITAK, DONALD CITAK, and
BURTON CITAK,

NOTICE OF CROSS-MOTION

Plaintiffs,

- against -

Civil Action No. 07 Civ 5459 (WHP)

THE ST. PAUL TRAVELERS COMPANIES, INC.
a/k/a ST. PAUL FIRE AND MARINE
INSURANCE COMPANY,

Defendant.

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PLEASE TAKE NOTICE that, based upon 1) the accompanying Declaration of PETER WESSEL, ESQ., dated February 28, 2008, and the exhibits annexed thereto, 2) the accompanying Declaration of DONALD L. CITAK, ESQ., dated February 28, 2008, 3) the accompanying Declaration of BURTON CITAK, ESQ., dated February 28, 2008, 4) the accompanying Plaintiffs' Proposed Second Amended Complaint, dated February 28, 2008, and the exhibits annexed thereto, 5) the accompanying Memorandum of Law, dated February 28, 2008, and 6) all the prior pleadings and proceedings had herein, Plaintiffs will move this Court, at the United States Courthouse, 500 Pearl Street, Room 2210, Courtroom 11D, New York, New York 10007, before the HON. WILLIAM H. PAULEY, III, on April 4, 2008, at 12:00 p.m., for an Order permitting Plaintiffs to amend their Amended Complaint herein, pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, together with such other and further relief as the Court deems just and proper.

Dated: New York, New York
February 28, 2008

LAW OFFICE OF PETER WESSEL, PLLC

By:



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